

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

1. (previously presented) An image selecting apparatus for selecting a desired image from among a plurality of images obtained by continuously photographing a subject, comprising:

an extractor extracting data of an aimed object from each of said plurality of images, said aimed object corresponding to an independent object within the image at which a photographer aims;

a condition-storing unit storing a plurality of predetermined selection conditions for a desirable aimed object; and

a selecting unit selecting at least one selection condition from among the plurality of predetermined selection conditions resulting in a selection of a desired image including a desired aimed object from among said plurality of images, said desired aimed object satisfying said at least one selection condition stored in said condition-storing unit.

2. (original) An image selecting apparatus as set forth in claim 1, wherein said extractor extracts said data of said aimed object based on depth information indicating the distance to each part of said subject.

3. (original) An image selecting apparatus as set forth in claim 1, wherein said extractor extracts said data of said aimed object based on image information included in each of said images.

4. (previously presented) An image selecting apparatus as set forth in claim 1,

wherein said extractor detects a judgement location from said data of said aimed object based on image information included in each of said images,

said at least one selection condition includes a predetermined selection condition related to a desirable judgement location, and

said selecting unit selects said desired aimed object including a judgement location satisfying said at least one selection condition related to said desirable judgement location.

5. (previously presented) An image selecting apparatus as set forth in claim 1,

wherein said extractor extracts data of a plurality of said aimed objects from each of said plurality of images; and

said selecting unit selects a plurality of said desired aimed objects for each of said plurality of images.

6. (previously presented) An image selecting apparatus as set forth in claim 5,

wherein said extractor detects a plurality of judgement locations from each of said data of said plurality of aimed objects based on image information included in each of said images,

said at least one selection condition includes a predetermined selection condition related to a desirable judgement location, and

said selecting unit selects said plurality of said desired aimed objects each including a judgement location satisfying said at least one selection condition related to said desirable judgement location.

7. (original) An image selecting apparatus as set forth in claim 5,

wherein said selecting unit further comprises an image-composite unit compositing said plurality of desired aimed objects to form a composite image, said composite image including said plurality of desired aimed objects for each of said plurality of aimed objects extracted from said plurality of images.

8. (previously presented) A camera comprising:  
an input unit forming a plurality images of subjects;  
an extractor extracting data of an aimed object from each of said plurality of images formed by said input unit;  
a condition-storing unit storing a predetermined selection condition for a desirable aimed object; and  
a selecting unit selecting a desired image including a desired aimed object from among said plurality of images, said desired aimed object satisfying said predetermined selection condition stored in said condition-storing unit.

9. (previously presented) A camera as set forth in claim 8,

wherein said input unit includes a parallax image data input unit inputting a parallax image photographed from different view points, and

said extractor extracts said data of said aimed object based on depth information indicating the distance to each part of said subject, said depth information being extracted from said parallax image.

10. (previously presented) A camera as set forth in claim 8, wherein said selection condition comprises a plurality of selection conditions, and said camera further comprises a condition-setting unit previously selecting at least one of said selection conditions, for selecting said desired image, from among said plurality of selection conditions.

11. (currently amended) A method ~~of~~ in an apparatus for selecting a desired image from among a plurality of images obtained by continuously photographing a subject, comprising:

extracting data of an aimed object from each of said plurality of images, said aimed object corresponding to an independent object within the image at which a photographer aims; and

selecting a desired image including a desired aimed object from among said plurality of images, said desired aimed object satisfying a predetermined selection condition for a desirable aimed object.

12. (original) A method as set forth in claim 11, wherein said extracting extracts said data of said aimed object from each of said plurality of images based on depth information indicating the distance to each part of said subject.

13. (original) A method as set forth in claim 11, wherein said extracting extracts said data of said aimed object from each of said plurality of images based on image information included in each of said images.

14. (original) A method as set forth in claim 11,  
wherein said extracting includes detecting a judgement location from said data of said aimed object,  
said selection condition includes a predetermined selection condition related to a desirable judgement location, and  
said selecting selects said desired aimed object including a judgement location satisfying said selection condition related to said desirable judgement location.

15. (previously presented) A method as set forth in claim 11,

wherein said extracting extracts data of a plurality of said aimed objects from each of said plurality of images; and

said selecting selects a plurality of said desired aimed objects for each of said plurality of images.

16. (original) A method as set forth in claim 15,

wherein said extracting includes detecting a plurality of judgement locations from each of said data of said plurality of aimed objects,

said selection condition includes a predetermined selection condition related to a desirable judgement location, and

said selecting selects said plurality of said desired aimed objects each including a judgement location satisfying said selection condition related to said desirable judgement location.

17. (previously presented) A recording medium storing therein a program executed by a computer to perform a method of selecting a desired image from among a plurality of images obtained by continuously photographing a subject, comprising:

extracting data of an aimed object from each of said plurality of images, said aimed object corresponding to an independent object within the image at which a photographer aims; and

selecting a desired image including a desired aimed object from among said plurality of images, said desired aimed object satisfying a predetermined selection condition for a desirable aimed object.

18. (previously presented) The image selecting apparatus as set forth in claim 1, wherein said conditions relate to at least one of a shape, color or size of the aimed object.

19. (new) An image selecting apparatus as set forth in claim 1, wherein said at least one predetermined selection condition relates to expression of said aimed object for identifying said desired aimed object.

20. (new) An image selecting apparatus as set forth in claim 1, wherein said selecting unit selects said desired image without an operation of a user.

21. (new) A camera as set forth in claim 8, wherein said predetermined selection condition relates to expression of said aimed object for identifying said desired aimed object.



22. (new) A camera as set forth in claim 8, wherein said selecting unit selects said desired image without an operation of a user.

23. (new) A method as set forth in claim 11, wherein said predetermined selection condition relates to expression of said aimed object for identifying said desired aimed object.

24. (new) A method as set forth in claim 11, wherein said selecting step selects said desired image without an operation of a user.

25. (new) A recording medium as set forth in claim 17, wherein said predetermined selection condition relates to expression of said aimed object for identifying said desired aimed object.

26. (new) A recording medium as set forth in claim 17, wherein said selecting step selects said desired image without an operation of a user.